

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application : Henricus Adriaan Anne Jacobus Korthout et al.
Application No. : 10/589,652
Deposit date : August 16, 2006
Confirmation No. : 9976
For : CONTROL OF PROGRAMMED DEATH (PCD) IN PLANTS
Attorney's Docket : VER-208XX

TC Art Unit:

I hereby certify that this correspondence is being deposited with the
United States Postal Service as first class mail in an envelope
addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450,
Alexandria, VA 22313-1450 on _____.

By: _____
Charles L. Gagnebin III
Registration No. 25,467
Attorney for Applicants

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

It is desired to cite for the record in this application the
enclosed references listed on the attached copy of PTO Form #1449. The
paragraph(s) marked below are applicable to this Information Disclosure
Statement.

- [] (1) Pursuant to 37 C.F.R. § 1.97(b)(1) and (2), the attached
Information Disclosure Statement is being filed within three
months of the filing date of the above identified national
application or within three months of the date of entry of the
national stage as set forth in 37 C.F.R. § 1.491 of the above
identified application. Accordingly, applicant(s) believes that
no fee or statement under 37 C.F.R. § 1.97(e) is required.

- ☒ (2) Pursuant to 37 C.F.R. § 1.97(b)(3), applicant(s) believes the attached Information Disclosure Statement is being filed before the mailing date of a first Office action on the merits. Accordingly, applicant(s) believes that no fee or statement under 37 C.F.R. § 1.97(e) is required.
- ☐ (3) Pursuant to 37 C.F.R. § 1.97(b)(4), applicant(s) believes the attached Information Disclosure Statement is being filed before the mailing date of a first Office action after the filing of a request for continued examination under § 1.114. Accordingly, applicant(s) believes that no fee or statement under 37 C.F.R. § 1.97(e) is required.
- ☐ (4) Pursuant to 37 C.F.R. § 1.97(c), the attached Information Disclosure Statement is being filed before the mailing date of a final action or a notice of allowance and is accompanied by:
☐ a statement under 37 CFR § 1.97(e); or
☐ the fee set forth in § 1.17(p).

PETITION UNDER 37 CFR § 1.97(d)

- ☐ (5) Pursuant to 37 CFR § 1.97(d), applicant(s) hereby petitions the Commissioner to consider the attached Information Disclosure Statement which is being filed on or before payment of the issue fee. This petition is accompanied by a statement under 37 C.F.R. § 1.97(e) and the petition fee set forth in 37 C.F.R. § 1.17(p).

STATEMENT UNDER 37 C.F.R. § 1.97(e)(1)

- ☐ (6) The undersigned hereby states that each item of information contained in the attached Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

STATEMENT UNDER 37 C.F.R. § 1.97(e)(2)

- ☐ (7) The undersigned hereby states that no item of information contained in the attached Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in the attached Information Disclosure Statement was known to any individual designated in 37 C.F.R. §

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1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Where the status of the application has changed, unknown to the applicant, such that the boxes checked are no longer applicable, the Commissioner is authorized to accept this submission with any additional fees required by that change charged to Deposit Account No. 23-0804.

The filing of this Information Disclosure Statement is not a representation by the undersigned as to personal knowledge of the contents of every word or phrase of the material enclosed or that reliance on other suitably trained professionals has not been made. The filing of this Information Disclosure Statement is not to be construed to be an admission that the information cited herewith is, or is considered to be, material to patentability as defined in 37 CFR §1.56(b), or that Applicant(s) is(are) unable to provide an affidavit under 37 CFR §1.131 swearing back of such information.

If a search report of a searching agency is enclosed identifying the nature of the relevance of each document, such a designation is deemed to satisfy 37 C.F.R. § 1.98(a)(3) even if in a foreign language because the codes are the same in all languages. However, applicant(s) does not necessarily adopt the position reflected by that report.

Copies of the foreign references and/or non-patent references cited in the International Search Report (ISR) and our IDS at filing are now enclosed.

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The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 23-0804. Triplicate copies of this letter are enclosed.

Respectfully submitted,

HENRICUS ADRIAAN ANNE
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Date: May 8, 2007

CLG/mc/341590.1
Enclosure

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U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE CITATION <i>(Use several sheets if necessary)</i>				ATTY. DOCKET NO. VER-208XX		APPLICATION NO. 10/589,652	
				APPLICANT: Henricus Adriaan Anne Jacobus Korthout, et al.			
				DEPOSIT DATE August 16, 2006		TC ART UNIT	
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	PUBLICATION/ ISSUE DATE	NAME	CLASS	SUBCLASS	FILING DATE
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
		WO 00/26391	05-2000	WIPO			X
		WO 00/08187	02-2000	WIPO			X
OTHER DOCUMENTS <i>(including Author, Title, Date, Pertinent Pages, etc.)</i>							
	Korthout, H.A.A.J. et al: "A tormentor in the quest for plant p53-like proteins," FEBS LETTERS, ELSEVIER SCIENCE PUBLISHERS, AMSTERDAM, NL., vol. 526, no. 1-3, 28 August 2002, pages 53-57.						
	Coupe, Simon A., et al: "Molecular analysis of programmed cell death during senescence in Arabidopsis thaliana and Brassica oleracea: Cloning broccoli LSD1, Bax inhibitor and serine palmitoyltransferase homologues." JOURNAL OF EXPERIMENTAL BOTANY, vol. 55, no. 394, January 2004, pages 59-68.						
	Danon, Antoine, et al: "Ultraviolet-C overexposure induces programmed cell death in Arabidopsis, which is mediated by caspase-like activities and which can be suppressed by caspase inhibitors, p35 and Defender against Apoptotic Death." JOURNAL OF BIOLOGICAL CHEMISTRY, vol. 279, no. 1, 2 January 2004, pages 779-787.						
	Levine, Alex et al: "Vesicle-associated membrane protein of Arabidopsis suppresses Bax-induced apoptosis in yeast downstream of oxidative burst." JOURNAL OF BIOLOGICAL CHEMISTRY, vol. 276, no. 49, 7 December 2001, pages 46284-46289.						
	Sweetlove, L.J. et al: "The impact of oxidative stress of Arabidopsis mitochondria." PLANT JOURNAL, vol. 32, no. 6, December 2002, pages 891-904.						
EXAMINER				DATE CONSIDERED			
*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							

CLG/mc/341588.1 (refs encl)

REFERENCES were cited in ISR of PCT/NL 2005/000114